

UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH CAROLINA

Charles E. Carter,)	C/A No. 2:12-1377-JFA-PJG
)	
Plaintiff,)	
)	
vs.)	ORDER
)	
Officer Barney Dozier,)	
)	
Defendant.)	
_____)	

The *pro se* plaintiff, Charles E. Carter, brings this action pursuant to 42 U.S.C. § 1983 and *Bivens v. Six Unknown Named Agents of Federal Bureau of Narcotics*, 403 U.S. 388, 397 (1971) alleging various constitutional violations. The Honorable Cameron M. Currie, to whom this case was previously assigned, issued an order dated August 2, 2012 wherein she adopted the Magistrate Judge's first Report and Recommendation and dismissed all defendants except Officer Dozier.

The Magistrate Judge¹ has prepared a second Report and Recommendation wherein she suggests that defendant Dozier should now be dismissed because the plaintiff has failed to effect timely service of process of the complaint on the defendant as required under Fed.

¹ The Magistrate Judge's review is made in accordance with 28 U.S.C. § 636(b)(1)(B) and Local Civil Rule 73.02. The Magistrate Judge makes only a recommendation to this court. The recommendation has no presumptive weight, and the responsibility to make a final determination remains with the court. *Mathews v. Weber*, 423 U.S. 261 (1976). The court is charged with making a *de novo* determination of those portions of the Report to which specific objection is made and the court may accept, reject, or modify, in whole or in part, the recommendation of the Magistrate Judge, or recommit the matter to the Magistrate Judge with instructions. 28 U.S.C. § 636(b)(1).

R. Civ. P. 4(m). The Report sets forth in detail the relevant facts and standards of law on this matter, and the court incorporates such without a recitation.

The plaintiff was advised of his right to file objections to the Report and Recommendation, which was entered on the docket on October 8, 2013. The plaintiff, however, did not file any objections to the Report within the time limits prescribed. In the absence of specific objections to the Report of the Magistrate Judge, this court is not required to give any explanation for adopting the recommendation. *See Camby v. Davis*, 718 F.2d 198, 199 (4th Cir. 1983).

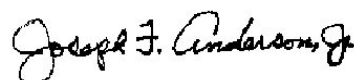
The Magistrate Judge correctly suggests that defendant Dozier should be dismissed and this action ended for failure to serve or establish that defendant Dozier has been properly served.

After a careful review of the record, the applicable law, and the Report and Recommendation, the court adopts the Magistrate Judge's recommendation and incorporates it herein by reference.

Accordingly, this action is dismissed without prejudice.

IT IS SO ORDERED.

November 5, 2013
Columbia, South Carolina



Joseph F. Anderson, Jr.
United States District Judge